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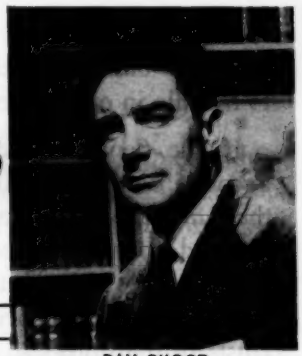
DAN SMOOT

THE WORLD COURT

On August 26, 1959, William P. Rogers, United States Attorney General, spoke to a convention of the American Bar Association at Miami Beach, Florida, asking the lawyers to put pressure on the U. S. Senate for repeal of the "Connally Amendment" which permits the United States to decide what disputes it will submit to the International Court of Justice.

A significant story and a sinister plot lie behind Rogers' speech. Both are quite incredible to well-intentioned Americans who cannot believe that the elected and appointed leaders of this nation — sworn to defend our Constitution — would consider an effort to eliminate the Constitution, destroy America as an independent nation, and convert this once-free republic into a helpless province of a communist-socialist dominated one-world government.

It would take many volumes to tell the whole story; but an intelligible outline can be briefly sketched, if we begin with a major development in the year 1945 and mention a few of the subsequent highlights.

Formation of The UN

In 1945, the United Nations was formed. Most Americans were in favor of it, because they believed the propaganda about it. Practically without debate, and apparently without reading the Charter of the United Nations, the Senate of the United States in 1945 ratified the treaty making America a member of the United Nations.

About the only portions of the UN Charter which received any publicity at all was the opening sentence of the preamble which proclaimed that the UN was organized "to save succeeding generations from the scourge of war," and the seventh paragraph of Article 2 which says:

"Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the Members to submit to such settlement under the present charter . . . ."

That was good enough: the UN was going to save the world from war, but it would not in-

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fringe on our independence as a nation by trying to meddle in our internal affairs.

If the Senators had known that communist agents inside the Policy Planning Division of the American State Department had worked and planned for months prior to the San Francisco Conference which created the UN — scheming to make the UN an agency which would weaken and frustrate the domestic and foreign policy of the American government, while leaving the Soviets unhampered in their program of world conquest; if the Senators had known that these same communist agents (among them, Alger Hiss) had actually helped write the UN Charter — perhaps the Senators would have read the Charter before ratifying it.

The Senators might be excused for not knowing, in 1945, that the UN Charter was a sinister plot against America; but if they had just *read* the thing they could have seen that it is an evil and dishonest document.

For example, the preamble to the UN Charter which begins with the much publicized sentence about saving "succeeding generations from the scourge of war" concludes with the statement that the UN will "employ international machinery for the promotion of the economic and social advancement of all peoples."

The American Constitution and Bill of Rights clearly guarantee that government will stay out of the economic and social affairs of the people: the purpose of government, according to the American Constitution, is to secure for the people their God-given blessings of liberty so that, as free men with God's help, they can manager their own "economic" and "social" and other personal affairs.

The American Founding Fathers knew that any governmental agency which can use its "machinery" to manage the economic and social affairs of the people must, first, have power to decide for the people what "economic and social advancement" is; it must have power to force its notions and programs for "advancement" upon the people; it must have power to take the property and money of people to pay for its own programs of "advancement" for the people; and it must, necessarily, prohibit people from developing their own programs for "advancement."

The basic concept of government underlying every article of the UN Charter is the dictatorship concept of communism-socialism-facism-nazism; and it is the exact opposite of the American constitutional concept of a carefully limited governing power.

Although the UN Charter contains the widely advertised statement about not authorizing the UN to intervene in the domestic affairs of member nations, it nonetheless obligates all members to fulfill all "obligations assumed by them in accordance with the present charter." Some of those "obligations" are in Article 55, which says the UN shall promote:

"a. higher standards of living, full employment, and conditions of economic and social progress and development;

"b. solutions of international economic, social, health, and related problems; and international cultural and educational cooperation . . . ."

The Morse Resolution

Chapter XIV of the UN Charter provides for the International Court of Justice.

America became a party to the UN Statute creating the World Court when our Senate ratified the UN Charter; but we were not bound to accept the jurisdiction of the Court until we made a formal declaration.

Consequently, after the Senate ratified the UN Charter (in July, 1945) the world-government schemers moved to get our nation under the compulsory jurisdiction of the world court.

In November, 1945, Senator Wayne Morse from Oregon introduced a Resolution giving the consent of the U. S. Senate to the American government's accepting the compulsory jurisdiction of

the World Court. On December 17, 1945, Christian Herter (then a Congressman, now Secretary of State) introduced in the House a Joint Resolution to the same effect of the Morse Resolution.

In July, 1946, the Senate Foreign Relations Committee (then under the chairmanship of a democrat new dealer from Texas, Tom Connally) quietly held "public" hearings on the World Court Resolution. Not one witness appeared to oppose our acceptance of the World Court's jurisdiction. The Committee didn't even receive a letter or telegram in opposition to the World Court Resolution. But such organizations as the Federal Council of Churches (now the National Council), the National Education Association, the National League of Women Voters, the American Association of University Women — all sent representatives to testify in favor of the Morse Resolution.

On July 24, 1946, the Senate Foreign Relations Committee, by unanimous vote, reported the World Court Resolution to the Senate for favorable action — exactly as it had been submitted by Senator Morse.

The Morse Resolution resolved that,

". . . the Senate . . . consent to the deposit by the President of the United States with the Secretary General of the United Nations of a declaration . . . recognizing as compulsory . . . the jurisdiction of the International Court of Justice in all legal disputes hereafter arising concerning —

"(a) The interpretation of a treaty;

"(b) Any question of international law;

"(c) The existence of any fact which, if established, would constitute a breach of an international obligation;

"(d) The nature or extent of the reparation to be made for the breach of an international obligation: *Provided,* That such declaration shall not apply to —

"(a) disputes the solution of which the parties shall entrust to other tribunals by virtue of agreements already in existence or which may be concluded in the future;

"(b) disputes with regard to matters which are essentially within the domestic jurisdiction of the United States . . ."

On August 1, 1946, the Senate began consideration of this Morse World Court Resolution. But something had happened to Tom Connally.

The Connally Amendment

When the Morse Resolution came to the floor of the Senate, Senator Connally offered an amendment. The "Connally Amendment" consisted of six words tacked on to provision (b), quoted immediately above. The six words: *as determined by the United States.*

The Morse World Court Resolution, with the Connally Amendment added to it, provided that America would *not* accept the compulsory jurisdiction of the World Court in "matters which are essentially within the domestic jurisdiction of the United States *as determined by the United States.*"

The one-worlders were stunned. They had inserted that provision about not giving the World Court jurisdiction over American internal affairs as a dishonest sop to American constitutionalists. As Wayne Morse had submitted that provision it meant nothing at all— because the Statute of the Wold Court specifically provides that, if there is ever any dispute as to whether the World Court has jurisdiction, the Court itself will decide the question.

Thus, Wayne Morse, and all the other one-world socialists supporting his maneuver, knew that if the Soviets ever brought charges against America for not admitting communist spies as "immigrants" to America, it would do us no good to claim that this was strictly our own business. The World Court (on which we could have, at most, only one judge) could decide that America's immigration laws are *international affairs.* The World Court could dictate America's immigration policies — and we would be bound to obey. If high-tariff France should complain about America's protective tariffs, it would do us no good to explain that the Constitution of the United States empowers Congress, and only Congress, to regu-

late our foreign commerce and that our tariff policy is therefore strictly a domestic matter. The World Court could assume jurisdiction on its own assertion that American tariffs are *international business.*

When Tom Connally proposed his amendment on August 1, 1946, he awakened a few United States Senators — momentarily, at least. Some of them raised exactly the points which I have used illustratively. They said that if we accepted the jurisdiction of the World Court, permitting the Court to decide (arbitrarily and without appeal) its own jurisdiction, the World Court could extend its authority to meddle in our domestic affairs, particularly our immigration and foreign-trade policies.

The internationalists argued that we could *trust the World Court* not to do that — and, besides, they said, there was no international law on the subject of tariffs and immigration and it would therefore be impossible for the World Court to assume jurisdiction in such matters. The one-worlders who made this argument were, at the time, working with our communist-dominated State Department to set up GATT (General Agreement on Tariffs and Trade) as a scheme to give international bureaucrats control of American foreign-trade policies!

The Connally Amendment, reserving to the United States the right to determine what issues were within its own national jurisdiction, was added to the Morse World Court Resolution—by a vote of 62 to 2 in the Senate, on August 2, 1946.

On To World Government

One-world socialists began a campaign to repeal the Connally Amendment, but not vigorously at first — because the campaign was not very important in the over-all drive for world government, at the time.

As soon as the UN was formed, it started spawning the "specialized agencies," such as UNESCO. These agencies (whose American representatives and delegates were almost unanimously of the quality and political persuasion of Eleanor Roosevelt) plunged forward on their program to remake the universe into the world of the Great Tomorrow — a communist-socialist one-world.

UNESCO, for example, started working on a UN Bill of Rights which was (and is), in significant part, a lift from the constitution of the Soviet Union. The scheme was to have this thing presented as a "covenant" or treaty which would be formally ratified by our government and have the force of law in America. If the UN Bill of Rights (officially known as the Universal Declaration of Human Rights) were grafted on to our Constitutional system through the treaty process, it would convert America into a communist state under the control of the UN General Assembly. The International Labor Organization started work on a whole series of "covenants" or treaties which would have accomplished the same purpose.

Through GATT and UNESCO and ILO and UNRRA (and other such outfits) the Truman Administration was squandering our resources so fast and giving so much financial aid to the communist conquest of central Europe and pushing us so fast into the status of a helpless province in a one-world socialist state — that the question of repealing the Conally Amendment so that the World Court could take charge of our domestic affairs seemed unimportant.

But the one-world socialists drove so recklessly that Americans began to awaken.

Such people as Frank Holman (former President of the American Bar Association who had supported our joining the UN and who had even gone along with the American Bar Association in 1947 when it urged repeal of the Connally Amendment) became gravely alarmed and started a resistance movement.

It was Frank Holman who later wrote the Bricker Amendment, hoping to protect the Constitution and laws and people of America against

the communist-socialist written covenants and treaties which our own State Department and the UN specialized agencies were grinding out in frightful profusion.

The resistance movement forced one-worlders to change their tactics. Whereas in the years immediately following the formation of the UN, such smelly outfits as United World Federalists (which openly and stridently advocated the surrender of America to world government) and Atlantic Union (Estes Kefauver's favorite passion, which advocated a more devious approach to world government) enjoyed great prestige, boasting the endorsement of leading respectables, opinion formers, and government officials — by 1951 most of these known world-government organizations had been thoroughly discredited in the eyes of American patriots.

They did not cease their efforts to socialize America and embroil her in world government, but they did adopt a subtle approach — putting their considerable resources and influence behind foreign aid and NATO and other multilateral alliances which would — they hoped — hopelessly entangle the affairs of America with those of other nations; and they supported every piece of domestic legislation which would drag our own economy into socialism.

Law Day

The subtlest, and most sinister, tactic which the one-worlders have ever conceived exploded suddenly into public consciousness on May 1, 1958: the first "Law Day, U.S.A." This was the formal launching of a drive to push us into world government by subjecting our nation to the jurisdiction of the World Court.

When President Eisenhower proclaimed the first Law Day for May 1, 1958, it seemed like a good idea to some. For years, May Day had been considered a communist celebration. Now we were going to capture that day from them here in America and set it aside as a day to pay tribute to law and order and justice.

All over the nation on May 1, 1958, there was a sudden spate of rhetoric about world peace through world law. To informed Americans, it seemed a bit silly — an overdose of meaningless platitudes. Before long, however, it was apparent that our *Law Day, U.S.A.* was something significant.

Throughout 1958, ghost writers kept inserting into President Eisenhower's speeches high-sounding phrases such as "the imperative need to depose the rule of force, and to enthrone the rule of law in international differences."

It was obvious that some subtle new scheme was afoot, but it was not until September 2, 1958, that the specific direction and objectives of the plot became apparent to the public.

On that day, Attorney General William P. Rogers made a speech at the New York University Law Center. His subject was "International Order Under Law."

The Attorney General quoted some of the President's phrases about "deposing the rule of force" and "enthroning the rule of law." He deplored the fact that the nations of the world were not using the World Court as a means of settling their disputes. He placed the blame on the Connally Amendment — by which the United States reserved the right to decide what cases would go before the court. He said that other nations had followed our example — with the result that the World Court of "distinguished jurists" had had only 10 cases in 12 years.

Mr. Rogers made it clear that the world could not trust the United States to decide fairly what is, or is not, within its domestic jurisdiction — but that the United States could trust the court of foreign judges not to infringe on our domestic matters.

Mr. Rogers "proved" that we could trust the court by saying:

"The record of the International Court makes it clear that this Court of distinguished jurists

has not engaged or attempted to engage in usurpation of judisdiction which does not belong to it. Nor is there any reason to believe that it ever would."

He gave this assurance of confidence in the court after saying that the court has heard practically no cases — because nations won't submit cases to it!

Repeal The Connally Amendment

Mr. Rogers closed his September 2, 1958, speech by saying that the time has come to "reexamine the domestic jurisdiction reservation" — that is, to repeal the Connally Amendment.

By the end of 1958, Arthur Larson (former ghost writer for the President) had been detached from full-time duty at the White House and established as head of the Rule of Law Center at Duke University Law School; and there was a proliferation of "feature articles" originating in Durham, North Carolina, and syndicated throughout the nation—telling about this 'brilliant,' 'dedicated,' 'young' modern republican who was directing research into the problem of establishing world peace through world law.

In all of his interviews and speeches since he went to Duke, Arthur Larson says the first thing we must do to have peace on earth is to repeal the Connally Amendment so that the World Court can take whatever jurisdiction it pleases over the affairs of the United States.

Almost simultaneously with the publicity build-up for Arthur Larson as the messenger of peace through law, there developed a similar press-agentry campaign for Charles S. Rhyne, 1957-58 President of the American Bar Association, now chairman of its "Peace through Law" Committee.

Rhyne, like Larson, travels over the nation (and the world) gathering headlines and feature stories for his one speech, variously entitled "Building Beyond the Rule of Terror to a Lawful World," "World Peace and World Law," "Let's go to court, not to war"; but whatever he calls his speech it is always the same. It's always given prominent newspaper coverage as something fresh and exciting; and leftwingers in Congress put it in the *Congressional Record* as deathless literature.

The Rhyne speeches are almost exactly like the Larson speeches. The two men use the same approach, the same trite phrases, present the same arguments, and come to the same conclusion.

They tell of the horrors of war. They imply that only in this generation have the people of the world even entertained the idea that it would be nice if great nations could arbitrate their differences judicially instead of going to war. They point out that there is an empty court that could arbitrate national differences and eliminate war — the World Court; and they explain why it is empty: the Senate of the United States adopted the Connally Resolution: this is the sole reason of importance why the World Court has not eliminated war.

The first step toward world peace must be repeal of the Connally Amendment.

If asked whether there is danger that the Court will infringe on matters that are purely domestic, they snort "of course not." If asked whether the Soviets will submit to the compulsory jurisdiction of the court if we set the example, they say that the Soviets will ultimately be shamed into doing so. They have not yet explained why the revulsion of the civilized world did not shame the Soviets into stopping their slaughter of Hungarian patriots.

In his State of the Union Message of January 9, 1959, President Eisenhower said:

"It is my purpose to intensify efforts during the coming two years in seeking ways to supplement the procedures of the United Nations and other bodies with similar objectives, to the end that the rule of law may replace the rule of force in the affairs of nations. Measures toward this end will be proposed later, including a re-examination of our own relation to the International

Court of Justice."

"World Peace Through World Law" was gathering momentum; but there still hadn't been a positive, administration proposal to repeal the Connally Amendment.

On March 24, 1959, Senator Hubert Humphrey (democrat, Minnesota) introduced a resolution to repeal the Connally Amendment — that is, to strike the six words, *as determined by the United States,* from the old Morse resolution of 1946.

On April 13, 1959, Vice President Nixon, speaking to the Academy of Political Science, in New York, made a speech very much like the standardized speeches of Arthur Larson and Charles Rhyne. Nixon dwelt on the horrors of war and spoke wistfully of world peace through world law. He listed the Connally Amendment as a major obstacle to that ideal goal and said that the administration "will shortly submit to the Congress recommendations for modifying this reservation."

The Nixon speech was obviously a trial balloon. There was enough protest from outraged patriots to cause considerable delay. Nixon had said that Eisenhower's proposal to modify the Connally Amendment would come "shortly," but weeks dragged on.

Humphrey (and other leftwing democrats) taunted the republicans for neither supporting his resolution, nor submitting one of their own.

As it turned out, President Eisenhower never did submit his specific proposal for repealing the Connally Amendment.

On July 15, 1959, republican Senator Jacob Javits submitted a resolution to incorporate one proposal that Nixon had made in his April 13 speech: namely, that in all future international agreements, the United States would insert a provision giving the World Court jurisdiction of all disputes arising under the agreements. In introducing this resolution, Javits said he was joined by democrat senators Hubert Humphrey and Joseph Clark — and reminded the Senate that he had joined Humphrey in the earlier resolution to repeal the Connally Amendment.

So, in this backstairs way, both parties are now officially on record as sponsoring repeal of the Connally Amendment.

Some of The Dangers

Both Charles Rhyne and Arthur Larson repeatedly mention the recent dispute between Iceland and England as a proper case for World Court settlement. In that affair, Iceland claimed an offshore limit of twelve miles. England claimed that Iceland's sovereignty extended only three miles.

If this is a proper case to submit to the World Court, then obviously the claim of Panama to a 12-mile offshore jurisdiction would be a World Court Case. If the World Court would grant Panama 12-mile sovereignty, it would eliminate American control of the Panama Canal, because Panama would then have, within its domestic jurisdiction, all major approaches to the canal.

Communists all over the world (including those in our own State Department) have, ever since Alger Hiss was in the Department, agitated to take the Panama Canal away from the United States and "internationalize" it. This is a matter involving the vital security interests of this nation — which the World Court would obviously take jurisdiction over, if the Connally Amendment were repealed.

Arthur Larson continuously says that the World Court should have jurisdiction over matters involving "international libel and slander." He cites the Middle East, where Nasser's Radio Cairo broadcasts, to other nations, comments about their governments and officials, inciting the people of those nations to rebellion and murder. That's an ugly situation, of course; but if the World Court can assume jurisdiction and quiet Radio Cairo, it obviously could assume jurisdiction and quiet any American broadcasting station that may have a

foreign audience.

If we repealed the Connally Amendment, any communist government on earth (or, possibly, any leftwing organization in the United States, like the NAACP) could bring suit in the World Court against the United States for "persecuting minority groups" — thus converting our most dangerous and delicate domestic issue into an "international affair" under the control of a court of foreign judges.

What if we tried to discontinue foreign aid to some communist or neutralist nation now receiving it, and that nation sued us in the World Court because we were hurting its economy? Wouldn't the World Court be likely to consider that an "international issue"?

Under the terms of the UN charter — where we pledge ourselves to promote full employment and social and economic progress for all peoples — any nation on earth could sue the United States in the World Court on the ground that we had not lived up to that pledge.

The World Court is composed of fifteen judges, only one of which can be from America. Communist nations do not — and will not — accept jurisdiction of the court; but they have judges on it. Nine judges constitute a quorum for the court; and a majority of the quorum is enough for a decision — from which there is no appeal. The judges are elected by the United Nations General Assembly and by the UN Security Council.

In other words, if we repeal the Connally Amendment, five judges chosen by the UN can declare the Constitution of the United States and its Bill of Rights void — and can order the American people to support the rest of the world, as long as the dollars last.

What Patriots Can Do

One hopeful thing is apparent in this whole drive: it is exclusively a propaganda drive, at present. In all the "World Peace through World Law" speeches — whether they are made by Nixon or Charles Rhyne, or Arthur Larson or Attorney General Rogers, or Henry Luce, or Hubert Humphrey, or whomever — is the insistent theme that we must *condition public opinion* to accept this thing.

That should give American patriots their cue: they must condition public opinion to reject the whole sinister plot, and to turn *all* of the plotters out of office.

* * * * *

WHO IS DAN SMOOT?

Dan Smoot was born in Missouri. Reared in Texas, he attended SMU in Dallas, taking BA and MA degrees from that university in 1938 and 1940.

In 1941, he joined the faculty at Harvard as a Teaching Fellow in English, doing graduate work for the degree of Doctor of Philosophy in the field of American Civilization.

In 1942, he took leave of absence from Harvard in order to join the FBI. At the close of the war, he stayed in the FBI, rather than return to Harvard.

He served as an FBI Agent in all parts of the nation, handling all kinds of assignments. But for three and a half years, he worked exclusively on communist investigations in the industrial midwest. For two years following that, he was on FBI headquarters staff in Washington, as an Administrative Assistant to J. Edgar Hoover.

After nine and a half years in the FBI, Smoot resigned to help start the Facts Forum movement in Dallas. As the radio and television commentator for Facts Forum, Smoot, for almost four years spoke to a national audience giving both sides of great controversial issues.

In July, 1955, he resigned and started his own independent program, in order to give only one side — the side that uses fundamental American principles as a yardstick for measuring all important issues.

If you believe that Dan Smoot is providing effective tools for those who want to think and talk and write on the side of freedom, you can help immensely by subscribing, and encouraging others to subscribe, to *The Dan Smoot Report*.